



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

283/A

CRM-M-45874-2022 (O&M)
Date of decision: 19.11.2024

SUMEET KUMAR

...Petitioner

Versus

STATE OF HARYANA AND ANR

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Darshan S. Kahlon, Advocate for
Mr. Sherry K. Singla, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

None for respondent No.2.

HARPREET KAUR JEEWAN , J.

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.329 dated 20.08.2021, under Sections 323, 34, 406, 498-A, 506 IPC registered at Police Station Kunjpura, District Karnal (Annexure P-1), on the basis of compromise deed dated 18.04.2022 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioner contends that the FIR was registered at the instance of respondent No.2 on account of a matrimonial dispute between parties. The petitioner is husband of respondent No.2. The matter has been settled between the parties and compromise deed dated 18.04.2022



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(Annexure P-2) has been executed between them. The petitioner-husband and respondent No.2-wife are happily residing together, as such, respondent No.2 does not want to take any action in the FIR.

[3] On 01.08.2024, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[4] As per the report dated 13.09.2024 received from Judicial Magistrate 1st Class, Karnal forwarded through the office of District and Sessions Judge, Karnal, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared as 'proclaimed offender'.

[5] Learned State counsel has not raised any objection regarding the acceptance of the present petition.

[6] The matrimonial dispute between the parties stands resolved. In view of the above, no useful purpose would be served to continue with the prosecution of the petitioners in the present FIR.

[7] Keeping in view the fact that the compromise between the parties is genuine and voluntarily made and in view of the ratio of the decision of Hon'ble Apex Court in **Gian Singh Versus State of Punjab (SC) 2012 (4) RCR (Criminal) 543** and the decision of Hon'ble the Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab and others 2007 (3) RCR (Criminal) 1052**, the ends of justice would meet if the FIR and consequential proceedings are quashed by accepting the compromise between the parties.

[8] Consequently, this petition is allowed and FIR No.329 dated 20.08.2021, under Sections 323, 34, 406, 498-A, 506 IPC registered at Police



Station Kunjpura, District Karnal (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[9] However, the respondent No.2 and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise (Annexure P-2) are violated.

[10] Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

19.11.2024
P.Bhatt

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No